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7 OFFICER DONALD GUESS  
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\*E-FILED 12/19/07\*

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 ESTATE OF ZIAM BOJCIC, AJNIJA  
14 BOJCIC, NURKO BADETA, NURKO  
15 MITHAT, NURKO ANZDA, NURKO  
AMELA, TUCAKOVIC LARIFA,  
TUCAKOVIC SMAZI, BELMA  
PREJLOBAG SEJAD,

Case Number: C-05-03877 RS

STIPULATION AND [PROPOSED]  
ORDER FOR RELEASE AND  
PRESERVATION OF TRIAL  
EVIDENCE

16 Plaintiff(s),  
17 v.  
18

19 CITY OF SAN JOSE, SAN JOSE POLICE  
20 DEPARTMENT, OFFICER DONALD  
21 GUESS, individually and in his official  
capacity, STARBUCKS, MANAGER  
STARBUCKS, individually and in her  
official capacity, and DOES, inclusive,

22 Defendant(s).

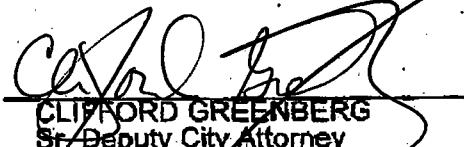
23  
24 STIPULATION

25 THE PARTIES, BY AND THROUGH THEIR COUNSEL OF RECORD, HEREWITHE  
26 STIPULATE AND JOINTLY REQUEST that the court order the exhibits introduced into  
27 evidence during the trial of this matter released to the City of San Jose (the "City"); that the  
28 City hold those exhibits until the judgment in this case becomes final or the court orders

1 otherwise, whichever occurs first; and that the City be permitted after the judgment  
2 becomes final to dispose of the exhibits without further order of the court.

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4 Respectfully submitted,

5 Dated: December 18, 2007 RICHARD DOYLE, City Attorney

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7 By:   
8 CLIFFORD GREENBERG  
9 Sr. Deputy City Attorney

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12 Attorneys for CITY OF SAN JOSE and  
13 OFFICER DONALD GUESS

14 Dated: December 18, 2007

15 POTTER LAW GROUP

16 By:   
17 CAP J. POTTER, III

18 Attorneys for Plaintiffs,  
19 ESTATE OF ZIAM BOJCIC, et al.

20 IT IS SO ORDERED

21 Dated: December 18, 2007

22  
23 RICHARD SEEBORG  
24 United States Magistrate Judge